

CALIFORNIA ENVIRONMENTAL QUALITY ACT

DRAFT DE MINIMIS IMPACT FINDING

Project Title: Electronic Hazardous Waste Regulations, DTSC Reference Number: R-01-06

State Clearinghouse Number:

Contact Person and Telephone:

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Project Location (include County): Statewide. The project is the adoption of regulations that will be effective throughout the entire State.

Project Description:

The project is the adoption of regulations entitled "Electronic Hazardous Waste," identified by DTSC Control Number R-01-06. The proposed regulations will permanently adopt the Emergency Regulations for Cathode Ray Tubes (CRTs) which are now in effect in the State (adopted on August 3, 2001). The proposed regulations also include consumer electronic devices (CEDs) in the State's existing universal waste regulations.

Electronic hazardous wastes include CRT materials and CEDs. CRTs are the visual display component used in television sets, computer monitors, and other electronic equipment. The project defines CRT materials as intact CRTs, any materials that contain one or more CRTs (i.e., a CRT device), and CRT glass that has been derived from a CRT or a CRT device. CRT devices are a sub-category of the broader category of electronic hazardous wastes defined as CEDs. CEDs are any electronic devices that are commonly used in households and businesses such as, computers, telephones, answering machines, radios, stereo equipment and some smaller appliances.

The Electronic Hazardous Waste Regulations adopt alternate management standards for these hazardous wastes under the State's universal waste regulations. The proposed universal waste standards were tailored specifically to the CRTs and CEDs to provide persons handling these hazardous wastes an alternative to managing the wastes pursuant to the general hazardous waste management standards that now apply to these wastes. DTSC believes the waste-specific standards are appropriate for the low-risk activities associated with the generation, handling, and transportation of these wastes. DTSC also believes the proposed standards will foster safe and efficient collection and recycling of CRT materials.

Besides specifying general waste management standards for these wastes (e.g., labeling, packaging, disposal and treatment standards), the universal waste standards for CRT materials and CEDs (i.e., the project) will:

- (1) Provide a longer accumulation time for these wastes;
- (2) Eliminate the requirement to obtain a generator identification number for some persons who generate solely these wastes;
- (3) Allow the waste CRTs and CEDs to be transported by persons other than registered hazardous waste transporters;
- (4) Eliminate the requirement to use a Uniform Hazardous Waste Manifest when transporting the wastes;
- (5) Allow accumulation of offsite generated CRTs and CEDs without a hazardous waste facility permit; and
- (6) Allow the disposal of CEDs to municipal solid waste landfills until February 9, 2006.

In addition, the proposed standards for CRT materials (i.e., the project) will:

- (1) Eliminate the requirement to obtain a hazardous waste facility permit for persons who recycle CRT materials and comply with certain restrictions;
- (2) Authorize these recyclers under a self-implementing set of requirements;
- (3) Specify standards to ensure CRT recycling is performed safely;
- (4) Require that any releases of CRT materials or CRT glass to the environment are immediately cleaned up;
- (5) Require persons who recycle CRT materials to maintain liability insurance and a financial assurance instrument that will ensure funds are available for closure of the recycling facility; and
- (6) require annual notifications and reports from persons who recycle CRT materials.

Initial Study Information:

There are no environmental factors in the Special Initial Study, Environmental Setting/Impact Analysis that were found to be potentially affected by the project. The proposed project could not have an adverse significant effect on the environment, and there is no evidence before DTSC that the proposed project will have a potential for an adverse effect on wildlife resources or the habitat upon which the wildlife depend.

A copy of the Special Initial Study that supports this finding is attached.

Declaration of No Evidence of Potential Adverse Effects:

Based on the Special Initial Study and the other records, there is no evidence before DTSC that the proposed project will have potential for an adverse effect on wildlife resources or the habitat upon which the wildlife depends.

Declaration of Rebutment of Presumption:

DTSC has, on the basis of substantial evidence, rebutted the presumption of adverse effect contained in the California Code of Regulation, title 14, section 753.5(d).

No adverse effect is expected to occur during the temporary site activities involved in this project. Long-term impacts are expected to be positive and not adverse.

Certification:

The Department of Toxic Substances Control (DTSC) certifies that it, as Lead Agency, has made the above findings of fact and that based upon the Initial Study and upon the record, that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in section 711.2 of the California Fish and Game Code.

DTSC Branch/ Unit Chief Signature	Title	Telephone #	Date
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